

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MAY 24, 1988

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING May 24, 19 88,
IN REgular SESSION. PRESIDENT Thomas C. Henry
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE
FOLLOWING MEMBERS _____ VIZ:

BRADBURY P, BURNS P, GiaQUINTA R,
HENRY P, LONG P, REDD P,
SCHMIDT R, STIER P, TALARICO P

ABSENT: _____

COUNCILMEMBER: _____

THE MINUTES OF THE LAST REGULAR May 10, 19 88

_____ 19 _____

SPECIAL _____ 19 _____

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

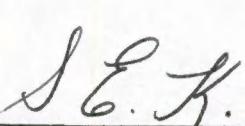
CERTIFICATE

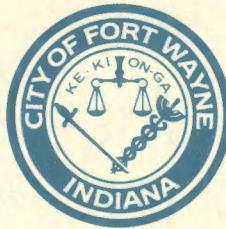
I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular Session, held on Tuesday
the 24th day of May, 1988,

that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 26th day of May, 1988.


SANDRA E. KENNEDY, CITY CLERK



THE CITY OF FORT WAYNE

26 April 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right-of-way.

The proposed ordinance is designated as:

BILL NO. G-88-04-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of April 1988.

Robert Hutner
Secretary

FACT SHEET

G-88-04-12

BILL NUMBER**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON
Alley Vacation Ordinance		

DETAILS	POSITIONS	RECOMMENDATIONS
	Sponsor	City Plan Commission
Specific Location and/or Address N/S alley between Harrison, Washington, Wayne and Calhoun Streets.	Area Affected	City Wide Other Areas
Reason for Project To facilitate the construction of the Midtowne Crossing Project.	Applicants/ Proponents	Applicant(s) Redevelopment Commission City Department Other
Discussion (Including relationship to other Council actions) <u>18 April 1988 - Public Hearing</u> John Wernet, attorney for the Redevelopment Commission, stated that the vacation was being requested in order to facilitate the construction of the Midtowne Crossing Project. He stated that the alley would run directly through the center of the building. He stated that the utilities have already relocated out of the alleys. He stated the Redevelopment Commission owns all of the surrounding property with the exception of Lot #7, which is owned by Larry Shine and he has also signed the petition. Janet Bradbury questioned why they were not vacating the south 20 feet of the alley. Mr. Wernet stated that is the portion adjacent to Larry Shine's property and that portion will not be vacated. He stated it is not a part of the project. There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.	Opponents	Groups or Individuals Basis of Opposition
	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
	Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

25 April 1988 - Business Meeting

Motion was made and seconded that this ordinance be returned to the Common Council with a DO PASS recommendation subject to the petitioner providing utility easements as needed, motion carried.

Of the six (6) members present 5 voted in favor of the motion one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 18 March 1988

Projected Completion or Occupancy

Date 26 April 1988

Fact Sheet Prepared by

Date 26 April 1988

Patricia Biancaniello

Reviewed by

Date

5/02/88

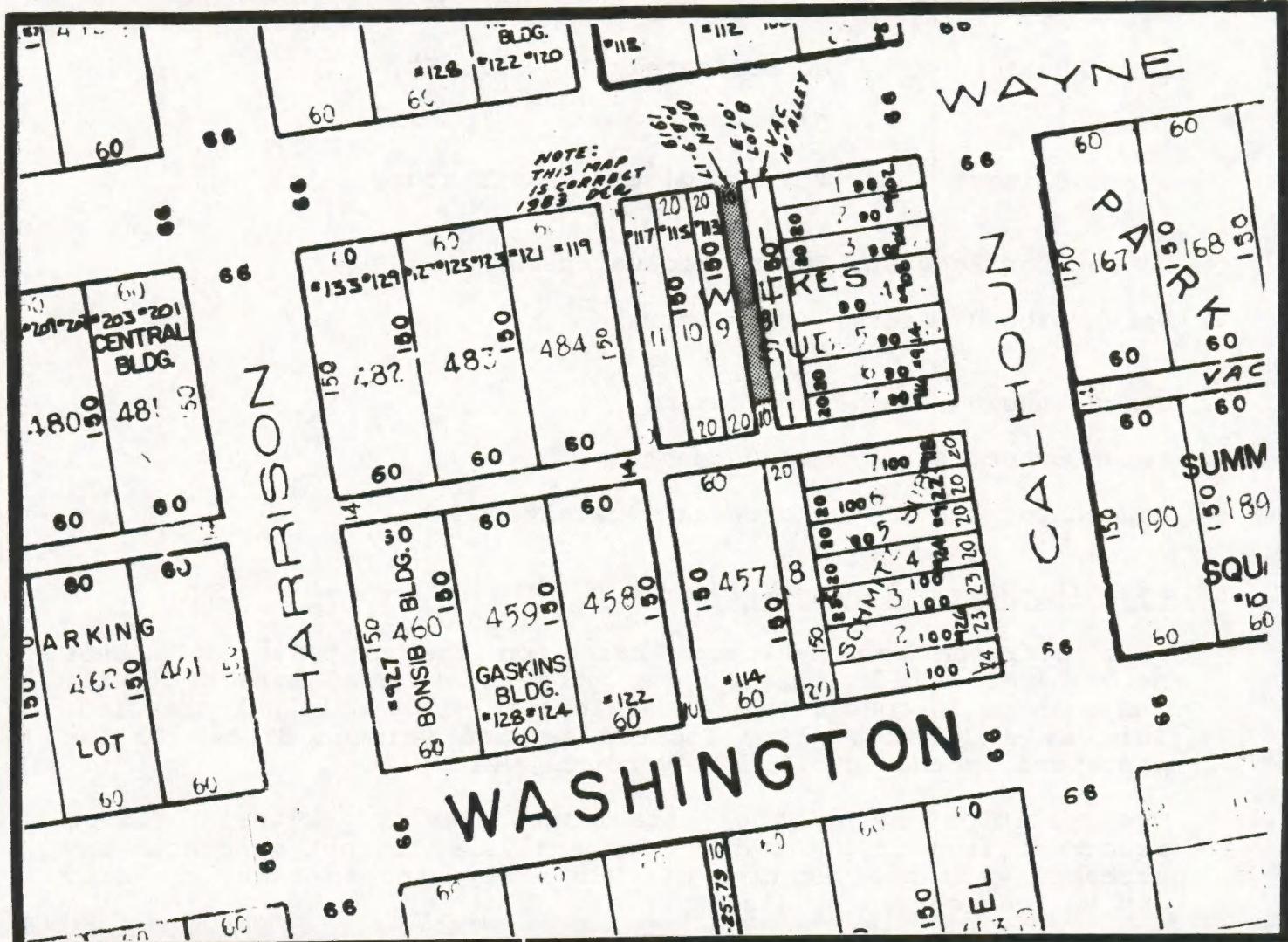
Reference or Case Number

VACATION PETITION #337

VACATION PETITION
A PETITION TO VACATE THE DESCRIBED PUBLIC ALLEY

MAP NO. M-6

COUNCILMANIC DISTRICT NO. 1



ZONING:

LAND USE:

SCALE: 1" = 100'

DATE: 3-29-88



The Department of Redevelopment, City of Fort Wayne, requests the vacation of a portion of a public alley.

Location: In the 100 block of West Wayne Street, extending south to a point 20 feet north of the first intersecting alley.

Legal: See File

Land Area: Approximately 1400 Sq. Ft.

Zoning: D/N/A

Surroundings: The immediate area is zoned B-3-A

Reason for Request: Future redevelopment

Neighborhood Assoc.: West Central

Comprehensive Plan: No Comment

Neighborhood Plan: No Comment

Landscape: No comment received.

Planning Staff Discussion:

This petition was evaluated based on the criteria of access needs, both public and private, property values, public growth, and changes in conditions of development since original creation. This is a 10 foot alley located between Calhoun Street to the east, and another public alley to the west.

The petition meets the established review criteria for a recommendation of approval. Our analysis did not encounter any problems with the vacation of this alley, and in fact, the city may be best served by its approval.

Recommendation: Conditional Approval, contingent upon the petitioner providing utility easements as needed.

- 1) This alley is not necessary to public or private access needs.
- 2) Approval would allow future redevelopment of the Central Business District.
- 3) The potential impact on adjacent property values would be positive, and there is another alley located approximately 60 feet to the west.

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

The north-south alley located between Lots 8 and 9 in Wolke's Subdivision of Lots 485, 486, 487, and 488 of Hanna's Addition to the City of Fort Wayne, Allen County, Indiana, excepting therefrom the South 20 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Angela S. Derheimer, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held Wednesday, May 4, 1988 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 4th DAY OF May 1988

FORT WAYNE BOARD OF PUBLIC WORKS

Angela S. Derheimer
Angela S. Derheimer
Director of Public Works

Robert E. Love
Robert E. Love
Director of Public Safety

C. David Sillett
C. David Sillett
Director of Administration & Finance

RESOLUTION

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

The north-south alley located between Lots 8 and 9 in Wolke's Subdivision of Lots 485, 486, 487, and 488 of Hanna's Addition to the City of Fort Wayne, Allen County, Indiana, excepting therefrom the South 20 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 18, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 25 April 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25 DAY OF April 1988

FORT WAYNE CITY PLAN COMMISSION

Robert Hutter
Robert Hutter
Secretary

All America City



Most Livable City

THE CITY OF FORT WAYNE

26 April 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right-of-way.

The proposed ordinance is designated as:

BILL NO. G-88-04-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of April 1988.

Robert Hutner
Secretary

FACT SHEET

G-88-04-15

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON														
Alley Vacation Ordinance																
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DETAILS

needed, motion carried.

Of the six (6) members present 5 voted in favor of the motion one (1) did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 17 March 1988

Projected Completion or Occupancy

Date 26 April 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 26 April 1988

Reviewed by

Barry Beller

Date

5/14/88

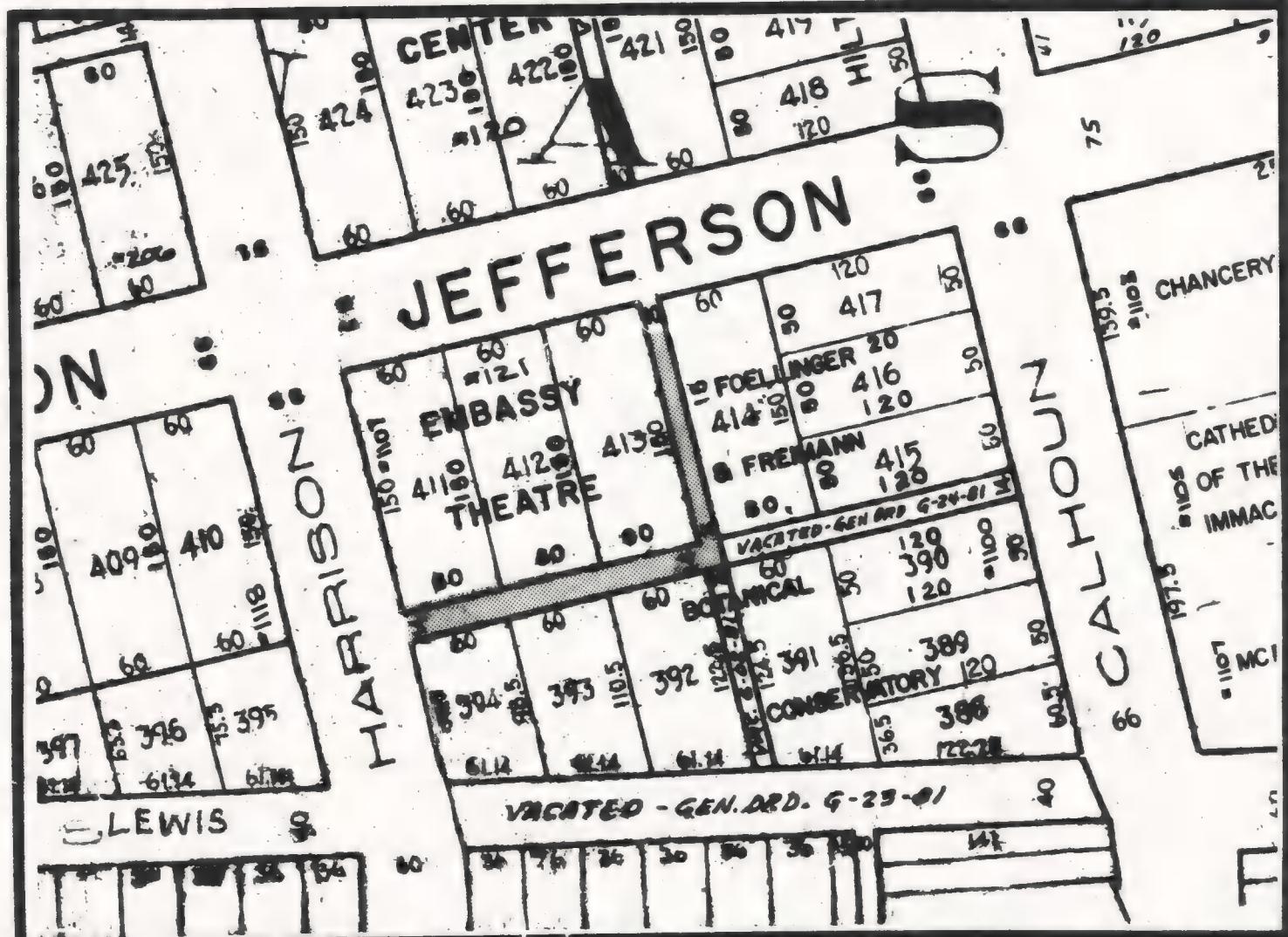
Reference or Case Number

VACATION PETITION 338

A PETITION TO VACATE THE DESCRIBED PUBLIC ALLEY

MAP NO. M-6

COUNCIL MANIC DISTRICT NO. 1



ZONING:

LAND USE:

SCALE: 1" = 100'

DATE: 3-29-88



The Embassy Theatre Foundation requests the vacation of portions of two alleys.

Location: The east/west alley off of the 1100 block of Harrison St., east, to the 1st north/south alley.

The north/south alley off of the 100 block of Jefferson, south, to the 1st east/west alley.

Land Area: Approximately 3830 Sq. Ft.

Legal: See File

Zoning: D/N/A

Surroundings: The immediate area is zoned B-3-A

Reason for Request: New construction

Neighborhood Assoc.: West Central

Comprehensive Plan: No Comment

Neighborhood Plan: No Comment

Landscape: No comment received.

Planning Staff Discussion:

These two alleys are used predominately by the patrons of the Embassy Theatre. The petitioners state that they plan to maintain the alleys for emergency evacuation procedures, and service vehicles. However, a portion of the north/south alley adjacent to the stair tower for the Grand Wayne Center would be used in the construction of a new restroom facility for the handicapped.

The only properties directly effected by this petition have joined in the petition.

We feel that the petition would be in the best interest of the city. The access provided by these alleys is primarily, if not entirely, to service the petitioners. In fact, the north/south alley is not accessible off of Jefferson, but only from the east/west alley to the rear.

Vacation would not cause a hinderance of public access ways, nor negatively impact the property values, and it would allow continued re-development of the Central Business District.

Recommendation: Conditional Approval, contingent upon the petitioners providing utility easements as needed.

- 1) Approval would allow continued redevelopment of the CBD.
- 2) The alley is not necessary to public access needs.
- 3) Adjacent property owners have joined in the petition, and should not be negatively impacted by the vacation.

WHEREAS, FORT WAYNE PARKS AND RECREATION DEPARTMENT, FORT WAYNE REDEVELOPMENT COMMISSION AND THE EMBASSY THEATRE FOUNDATION have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alleys situated in Fort Wayne, Allen County, to-wit:

Portion of 14 foot East-West alley: A portion of West Part of Hanna's Addition to the City of Fort Wayne, Allen County, said portion a 14 foot East-West alley located between the South line of Lots Number 411, 412 and 413 and the North line of Lots Number 392, 393 and 394 a distance of 180 feet, and as recorded in Plat "O", page number 17 in the Office of the Recorder of Allen County.

Portion of 10 foot North-South alley: A portion of the West Part of Hanna's Addition to the City of Fort Wayne, Allen County, said portion a part of the North-South alley between Lot No. 413 and Lot No. 414, and according to the Plat recorded in Book O, page No. 17 in the Office of the Recorder of Allen County, and more particularly described as follows:

Point of Beginning: Commencing at the Northeast corner of Lot No. 413, measure 19 feet south along the easterly line No. 413 to the Point of Beginning.

From the Point of Beginning, measure 131 feet South along the easterly line of Lot No. 413 to the southeast corner of Lot No. 413; thence 14 feet South to the northeast corner of Lot No. 392; thence east a distance of 10 feet to the northwest corner of Lot No. 391; thence North a distance of 14 feet to the southwest corner of Lot No. 414; thence North 131 feet along the West line of Lot No. 414 to a point; thence West a distance of 10 feet to the Point of Beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alleys or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Angela L. Dierheimer, Director of the

Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held Wednesday,
May 4, 1988 and as same appears
of record in the official records of the Board of Public Works.

DATED THIS 4th DAY OF May 1988
FORT WAYNE BOARD OF PUBLIC WORKS

Angela S. Derheimer
Angela S. Derheimer
Director of Public Works

Robert E. Love
Robert E. Love
Director of Public Safety

C. David Silletto
C. David Silletto
Director of Administration & Finance

RESOLUTION

WHEREAS, FORT WAYNE PARKS AND RECREATION DEPARTMENT, FORT WAYNE REDEVELOPMENT COMMISSION AND THE EMBASSY THEATRE FOUNDATION have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alleys situated in Fort Wayne, Allen County, to-wit:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 18, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alleys.

WHEREAS, said vacation of dedicated alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 25 April 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25 DAY OF April 1988

FORT WAYNE CITY PLAN COMMISSION

Robert Hutter
Robert Hutter
Secretary



THE CITY OF FORT WAYNE

17 May 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. G-88-05-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of May 1988.

Robert Hutner
Secretary

FACT SHEET

G-88-05-07

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Not Applicable

Reason for Project

This amendment would permit the City Plan Commission to establish and collect fees to defray the administrative costs of processing and hearing appeals and rezonings, issuing permits, and other actions required under Title 36 of the Indiana Code.

Discussion (Including relationship to other Council actions)

18 April 1988 - Public Hearing

Greg Purcell, Director of Community Development & Planning stated that we have two ordinances that would change the way that fees are charged for various subdivision and zoning petitions. He stated that right now the ordinance has a specified fee in it. He stated that what staff is suggesting is that the ordinance be amended to not specify what a fee was to be, but to give that discretion to the Plan Commission to establish those fees. He stated that the next step would obviously be to recommend an increase in those fees since some of them have not been increased since 1954. He stated that one convenience of this amendment would be that future changes in fees would not require an ordinance change to go through the City Council every time. He stated that the Plan Commission could examine this on a timely basis and make changes as they see fit.

Karl Bandemer with Northill Development Corporation stated that he was opposed to the amendment that would allow the City Plan Commission to establish fees. He stated he was not opposed to the raising

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission	
Area Affected	City Wide Other Areas	
Applicants/ Proponents	Applicant(s) City Department Land Use Management - CD&P Other	
Opponents	Groups or Individuals Karl Bandemer, Northill Dev Corporation Basis of Opposition -opposed to procedural change of establishing	
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against	
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)	
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

DETAILS

of the fees but to the change in the procedure to do so. He stated the procedure now for setting of fees, throughout the city, is appropriate in that departments must go through City Council.

Angie Derheimer stated that there are already departments in the city that set their own fees, the Park Department being one of them.

Greg Purcell pointed out that State Law provides that the Plan Commission may have the authority to set fees and there are other communities that do delegate that authority to the Plan Commission.

There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.

25 April 1988 - Business Meeting

Motion was made and seconded that the amendment be returned to the Common Council with a DO PASS recommendation, motion carried.

Of the six (6) members present five (5) voted in favor of the motion one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 8 April 1988

Projected Completion or Occupancy

Date 17 May 1988

Fact Sheet Prepared by

Patricia Biancaniello

Reviewed by

Greg Barta
Reference or Case Number

Date 17 May 1988

5/20/88



THE CITY OF FORT WAYNE

17 May 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. G-88-05-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of May 1988.



Robert Hutner
Secretary



MEMORANDUM

TO: City Council Members

FROM: Greg Purcell, Director, Community Development
and Planning

SUBJECT: Zoning Ordinance Amendment for Shopping Center
Development Plans

DATE: May 20, 1988

Attached is an ordinance which would amend the Zoning Ordinance to allow a developer to submit a petition for an amendment of a shopping center development plan with the signatures of the property owners of 50% of the land area. The current ordinance requires an amendment for a development plan to have 100% of the property owners sign a petition. This requirement can pose a hardship for developers if the property is owned by more than one person. In those cases, a decision by any one of the property owners not to sign the petition means that the proposed change in the development plan may not even be heard by the Plan Commission.

Petitions for rezoning only require the signature of the owners of 50% of the land area, and we believe this is a good model for amendments to development plans as well. We have included special provisions in the ordinance that would require a developer to notify all other property owners in the development plan area by certified mail so that they would be aware of the development and have an opportunity to comment pro or con to the Plan Commission.

We believe this change will prohibit one property owner from holding an entire development "hostage", and allow the Plan Commission to review and make objective decisions on any proposed development plans.

Should you have any questions on this matter prior to the Council meeting, please do not hesitate to contact me at 427-1131.

GP/sjh

Attachments

FACT SHEET

G-88-05-08

BILL NUMBER**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON																								
Zoning Ordinance Amendment																										
<table border="1"> <thead> <tr> <th>DETAILS</th> <th>POSITIONS</th> <th>RECOMMENDATIONS</th> </tr> </thead> <tbody> <tr> <td>Specific Location and/or Address Not Applicable</td> <td>Sponsor</td> <td>City Plan Commission</td> </tr> <tr> <td>Reason for Project This amendment will permit amendments to final Shopping Center Development Plans with the signature of 50% of the property owners instead of the present 100% now required.</td> <td>Area Affected</td> <td>City Wide Other Areas</td> </tr> <tr> <td>Discussion (Including relationship to other Council actions) <u>18 April 1988 - Public Hearing</u> Greg Purcell stated that staff had discovered in about 3 cases recently that our ordinance provides that all of the owners of property in a shopping center district must sign the petition to amend the plan. He stated that if the property is owned separately that one individual property owner can stop a petition from coming before the Plan Commission. He stated that this requirement can hold the whole development hostage and they did not feel that was fair. He stated they look for models by which to change that condition. He stated one such model was a rezoning petition, which only requires 50% of the property owners of the area to sign the petition. He stated that they felt that was a good model, so they were suggesting to the Commission an amendment to that effect for shopping centers. The ordinance would be changed to require only 50% of the area supporters sign a petition for amendment of a planned shopping center. There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.</td> <td>Applicants/ Proponents</td> <td>Applicant(s) City Department Land Use Management - CD&P Other</td> </tr> <tr> <td>Opponents</td> <td colspan="2">Groups or Individuals Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td colspan="2"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against </td> </tr> <tr> <td>Board or Commission Recommendation</td> <td colspan="2"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) </td> </tr> <tr> <td>CITY COUNCIL ACTIONS (For Council use only)</td> <td colspan="2"> <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass </td> </tr> </tbody> </table>			DETAILS	POSITIONS	RECOMMENDATIONS	Specific Location and/or Address Not Applicable	Sponsor	City Plan Commission	Reason for Project This amendment will permit amendments to final Shopping Center Development Plans with the signature of 50% of the property owners instead of the present 100% now required.	Area Affected	City Wide Other Areas	Discussion (Including relationship to other Council actions) <u>18 April 1988 - Public Hearing</u> Greg Purcell stated that staff had discovered in about 3 cases recently that our ordinance provides that all of the owners of property in a shopping center district must sign the petition to amend the plan. He stated that if the property is owned separately that one individual property owner can stop a petition from coming before the Plan Commission. He stated that this requirement can hold the whole development hostage and they did not feel that was fair. He stated they look for models by which to change that condition. He stated one such model was a rezoning petition, which only requires 50% of the property owners of the area to sign the petition. He stated that they felt that was a good model, so they were suggesting to the Commission an amendment to that effect for shopping centers. The ordinance would be changed to require only 50% of the area supporters sign a petition for amendment of a planned shopping center. There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.	Applicants/ Proponents	Applicant(s) City Department Land Use Management - CD&P Other	Opponents	Groups or Individuals Basis of Opposition		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against		Board or Commission Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	
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DETAILS25 April 1988 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.

Of the six (6) members present five (5) voted in favor of the motion one (1) did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start**Date** 8 April 1988**Projected Completion or Occupancy****Date** 17 May 1988**Fact Sheet Prepared by****Date** 17 May 1988

Patricia Biancaniello

Reviewed by**Date**

5/23/88

Gary Baxton
Reference or Case Number



THE CITY OF FORT WAYNE

17 May 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. G-88-05-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of May 1988.

A handwritten signature in black ink, appearing to read "Robert Hutner".

Robert Hutner
Secretary

FACT SHEET

G-88-05-06

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Not Applicable

Reason for Project

This amendment would permit the City Plan Commission to establish and collect reasonable fees associated with the provisions of both primary and secondary subdivision applications.

Discussion (Including relationship to other Council actions)

18 April 1988 - Public Hearing

Greg Purcell, Director of Community Development & Planning stated that we have two ordinances that would change the way that fees are charged for various subdivision and zoning petitions. He stated that right now the ordinance has a specified fee in it. He stated that what staff is suggesting is that the ordinance be amended to not specify what a fee was to be, but to give that discretion to the Plan Commission to establish those fees. He stated that the next step would obviously be to recommend an increase in those fees since some of them have not been increased since 1954. He stated that one convenience of this amendment would be that future changes in fees would not require an ordinance change to go through the City Council every time. He stated that the Plan Commission could examine this on a timely basis and make changes as they see fit.

Karl Bandemer with Northill Development Corporation stated that he was opposed to the amendment that would allow the City Plan Commission to establish fees. He stated he was not opposed to the raising

POSITIONS

Sponsor

RECOMMENDATIONS

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

City Department

Land Use Management - CD&P

Other

Opponents

Groups or Individuals

Karl Bandemer, Northill Dev Corporation

Basis of Opposition

-opposed to procedural change of establishing

Staff
Recommendation

For Against

Reason Against

Board or
Commission
Recommendation

By

For Against
 No Action Taken

For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS
(For Council
use only)

Pass Other

Pass (as
amended) Hold

Council Sub. Do not pass

DETAILS

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Greg Purcell pointed out that State Law provides that the Plan Commission may have the authority to set fees and there are other communities that do delegate that authority to the Plan Commission.

There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.

25 April 1988 - Business Meeting

Motion was made and seconded that the amendment be returned to the Common Council with a DO PASS recommendation, motion carried.

Of the six (6) members present five (5) voted in favor of the motion one (1) did not vote.

Project Start**Date** 8 April 1988**Projected Completion or Occupancy****Date** 17 May 1988**Fact Sheet Prepared by****Date** 17 May 1988

Patricia Biancaniello

Reviewed by**Date**

Reference or Case Number

5/20/88

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

May 4, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

30/88/E, 31/88/E, 32/88/E, 33/88/E, 34/88/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution(s) a matter of record and incorporate them into the minutes of the next Common Council meeting.

Respectfully submitted,

Robert Dave, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 30/88/E
31/88/E
32/88/E
33/88/E
34/88/D

I hereby certify that I did this 4th. day of May, 1988
deliver to each, the City Traffic Engineer, the Chief of Police,
the City Attorney, the City Clerk and the President of the Common
Council of the City of Fort Wayne, Indiana respectively, a copy
of the within Regulatory Resolution Nos. 30/88/E, 31/88/E,
32/88/E, 33/88/E, 34/88/D of the Board of Public Safety of the
City of Fort Wayne, duly certified by me as Chairman of said
Board, in accordance with the provisions of Section 17-4 of
Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 30/88/ E

(Adopted May 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

NO PARKING (EMERGENCY)

DELETE:

2 HOUR PARKING 8 A.M. - 6 P.M. (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 27, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Barr Street --West Side-- from Berry Street to the first alley south

DELETE:

2 HOUR PARKING 8 A.M. - 6 P.M. (EMERGENCY)

Barr Street -- West Side -- from Berry Street to the first alley south

REGULATORY RESOLUTION NO. 31/88/ E

(Adopted May 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 27, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

908 Rivermet Avenue

--south side--

from 50' east
of St. Joe
Boulevard to
20' East
thereof

REGULATORY RESOLUTION NO. 32/88/ E

(Adopted May 3, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to:

NO PARKING (TEMPORARY)

(EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 27, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 3 , 19 88 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY)

(EMERGENCY)

Old Mill Road

--both sides--

from Lexington Avenue
to Westover Road

REGULATORY RESOLUTION NO. 33/88/ E

(Adopted May 3, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to:

STOP INTERSECTION

(EMERGENCY)

—; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 28, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 3 , 19 88 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION

(EMERGENCY)

Huffman Boulevard

--stop--

for Poinsette Drive

REGULATORY RESOLUTION NO. 34/88/ D

(Adopted May 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

DELETE

PREFERENTIAL INTERSECTION

(DELEGATED)

;

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 28, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE

PREFERENTIAL INTERSECTION

(DELEGATED)

Poinsette Drive --preferential-- at Huffman Boulevard

May 11, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

35/88/E, 36/88/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution(s) a matter of record and incorporate them into the minutes of the next Common Council meeting.

Respectfully submitted,



, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 35/88/E
36/88/D

I hereby certify that I did this 11th. day of May, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos.35/88/E, 36/88/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 35/88/ E

(Adopted May 11, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

STOP INTERSECTION

(EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 11, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION

(EMERGENCY)

Fourth Street

-- stop --

for Franklin Avenue

REGULATORY RESOLUTION NO. 36/88/ D

(Adopted May 11, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to:

DELETE:

PREFERENTIAL INTERSECTION

(DELEGATED)

—; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 4, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

May 11, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION

(DELEGATED)

Franklin Avenue

--preferential--

at Fourth Street

May 18, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

37/88/D, 38/88/E, 39/88/E, 40/88/E, 41/88/E, 42/88/E, 43/88/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution(s) a matter of record and incorporate them into the minutes of the next Common Council meeting.

Respectfully submitted,


Robert J. Jane, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 37/88/D
38/88/E
39/88/E
40/88/E
41/88/E
42/88/E
43/88/E

I hereby certify that I did this 18th. day of May, 1988
deliver to each, the City Traffic Engineer, the Chief of Police,
the City Attorney, the City Clerk and the President of the Common
Council of the City of Fort Wayne, Indiana respectively, a copy
of the within Regulatory Resolution Nos. 37/88/D, 38/88/E,
39/88/E, 40/88/E, 41/88/E, 42/88/E, 43/88/E of the Board of
Public Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions of
Section 17-4 of Chapter 17, of the Code of the City of Fort
Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 37/88/D

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

NO PARKING _____ (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 11, 1988, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 1988, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING _____ (DELEGATED)

Irene Avenue --south side-- from Wells Street to 140' east thereof

REGULATORY RESOLUTION NO. 38/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

RENEW & EXTEND REG. RES. 13/88/E

SPEED LIMIT 40 M.P.H.

(EMERGENCY)

SPEED LIMIT 25 WHEN CHILDREN PRESENT

(EMERGENCY)

DELETE:

SPEED LIMIT 45

(EMERGENCY)

SPEED LIMIT 30

(EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 11, 1988, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 1988, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 40 M.P.H.

(EMERGENCY)

Ardmore Avenue

from 200' south of
Elmhurst Dr. to Lower
Huntington Road

SPEED LIMIT 25 WHEN CHILDREN PRESENT

(EMERGENCY)

Ardmore Avenue

from 200' north of
Sandpoint Road to 200'
south of Elmhurst Drive

DELETE:

SPEED LIMIT 45

(EMERGENCY)

Ardmore Avenue

from 200' south of
Elmhurst Dr. to Lower
Huntington Road

SPEED LIMIT 30

(EMERGENCY)

Ardmore Avenue

from 200' south of
Sandpoint Rd. to 200'
South of Elmhurst Dr.

REGULATORY RESOLUTION NO. 39/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

STOP INTERSECTION (EMERGENCY)

DELETE: _____

STOP INTERSECTION **(EMERGENCY)**

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 11, 1988, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF
PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

DELETE:

STOP INTERSECTION **(EMERGENCY)**

REGULATORY RESOLUTION NO. 40/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

DELETE:

NO PARKING

(EMERGENCY)

and,
WHEREAS, the City Traffic Engineer has, by written memorandum dated May 16, 1988, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 1988, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Hayden Street

--South Side--

from Chute Street
to Ohio Street

REGULATORY RESOLUTION NO. 41/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

STOP INTERSECTIONS (EMERGENCY)

_____ and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 16, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Holton Street	--stop--	for Colerick Street
Lillie Street	--stop--	for Colerick Street
Winter Street	--stop--	for Colerick Street

REGULATORY RESOLUTION NO. 42/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

STOP INTERSECTION (EMERGENCY)

and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 16, 1988, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 1988, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Van Buren Street	--Stop--	for Lavina Street
Nelson Street	--Stop--	for Stophlet Street

REGULATORY RESOLUTION NO. 43/88/E

(Adopted May 18, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

NO PARKING _____ (EMERGENCY)

_____ and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 16, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 18, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING _____ (EMERGENCY)

Hanna Street --both sides-- from Tillman Road to the South City Limits